I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 335377881 US, in an envelope addressed O. MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 228401450, on the date shown below.

Dated Une 23, 2005

Signature:

woqua wato

Docket No.: 245402007700 Client Ref.: 903192-01(NA/mo)

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Taiji MORIMOTO et al.

Application No.: 10/699,553

Confirmation No.: 3605

Filed: October 31, 2003

Art Unit: 2823

For: SEMICONDUCTOR LASER DEVICE AND

Examiner: H. Lee

METHOD OF FABRICATING THE SAME

SUBMISSION UNDER 37 CFR 1.97(i)

MS Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests that the attached references be placed in the file wrapper for the above-referenced application, in accordance with the provisions of 37 CFR 1.97(i).

These documents include an Office Action in the corresponding application filed in China and the references cited in the Office Action. Applicant does not believe that the references are sufficiently relevant to require consideration by the Examiner.

Applicant certifies that none of the references submitted herewith was first cited in any communication from a foreign patent office in a counterpart foreign application or, to the best of Applicant's knowledge after making a reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the submission of this communication.

Applicants believe no fee is necessary but in the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to <u>Deposit Account No. 03-1952</u> referencing <u>docket no. 245402007700</u>.

Dated: June 23, 2005

Respectfully submitted,

Rick Shoop

Registration No.: 45,763

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-5804